

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

THALESE R. WHITE,

Plaintiff,

v.

Case No. 24-cv-11922
Hon. Matthew F. Leitman

SOMMER R. LARIVE

Defendant.

/

**ORDER (1) ADOPTING RECOMMENDED DISPOSITION OF REPORT
AND RECOMMENDATION (ECF No. 23) AND (2) DISMISSING
COMPLAINT (ECF No. 1) WITHOUT PREJUDICE**

On July 17, 2024, Plaintiff Thalese R. White filed this *pro se* action against Defendant Sommer R. Larive. (*See* Compl., ECF No. 1.) On March 10, 2025, the assigned Magistrate Judge issued a report and recommendation in which he recommended that the Court dismiss White’s Complaint without prejudice (the “R&R”). (*See* R&R, ECF No. 23.) The Magistrate Judge explained that “[a]fter the United States Marshals Service [] attempted to serve Defendant Sommer R. Larive multiple times—including mailed service at Defendant’s last known address—Defendant remained unserved as of March 4, 2025.” (*Id.*, PageID.94.) The Magistrate Judge further explained that he then ordered White to show cause why this case should not be dismissed based on White’s failure to provide a valid address for Larive so that Larive could be served with the Complaint. (*See id.*) White did

not respond to that show cause order. Accordingly, in the R&R, the Magistrate Judge recommended that the Court dismiss this action without prejudice. (*See id.*) At the conclusion of the R&R, the Magistrate Judge informed White that if White wanted to file an objection to the R&R, White needed to do so within 14 days. (*See id.*, PageID.95-96)

White has not filed any objections to the R&R. Nor has White contacted the Court to ask for additional time to file objections. Finally, White has not responded to the Magistrate Judge's show cause order or provided the Court a valid address for Lavire so that Lavire could be served with the Complaint.

The failure to object to an R&R releases the Court from its duty to independently review the matter. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985). *See also Ivey v. Wilson*, 832 F.2d 950, (6th Cir. 1987) (explaining that where party fails to file "timely objections" to report and recommendation, court may accept that recommendation "without expressing any view on the merits of the magistrate's conclusions"). In addition, the failure to file objections to an R&R waives any further right to appeal. *See Howard v. Sec'y of Health and Human Servs.*, 932 F.2d 505 (6th Cir. 1991); *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987).

Based on White's failure to file objections to the R&R, and White's failure to respond to the Magistrate Judge's show cause order, the Court will **ADOPT** the recommended disposition of the R&R and **DISMISS** White's Complaint **WITHOUT PREJUDICE**.

IT IS SO ORDERED.

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: May 28, 2025

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on May 28, 2025, by electronic means and/or ordinary mail.

s/Holly A. Ryan

Case Manager

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